

Quarterly Violation & Enforcement Report, 4th Quarter 2002 (January 1 – March 31, 2003) *(Mark Alpert)*

Enclosed is the quarterly enforcement report, prepared in accordance with the State Board's Enforcement Policy. The report entitled **Violations by Type** provides the detailed list of all the violations and the enforcement actions associated with those violations during the reporting period using data from the SWIM (System for Water Information Management) Compliance Module database. The full 103-page report can be viewed at the Regional Board web site at <http://www.swrcb.ca.gov/rwqcb9/>. A summary of the **352** violations and associated enforcement actions identified during the reporting period is attached as well as a list describing the acronyms used for violations and enforcement actions.

Violation by Type Report includes: a) the date of violation; b) identification whether the violation is considered to be a priority violation; c) the RWQCB response, if any; and d) the corrective action taken by the discharger.

In addition to this quarterly compliance report, Regional Board staff initiated enforcement actions in response to violations that occurred in periods prior to the current reporting period. These enforcement actions are listed in the report entitled "Enforcement Actions by Program" and are also posted on the web site.

The recording of violations and enforcement actions from several Regional Board programs are not included in the SWIM database. Enforcement information for the following programs are stored in a database referred to as Geotracker, which is also maintained by the State Board: Underground Tanks, Department of Defense, and SLIC (Spills, Leaks, Investigations, and Cleanup programs). In addition, there are water quality programs that have independent and unique databases that also record violations that are not routinely included in the SWIM database. These include the NOI database for Storm Water, delinquent annual fees database, and a new database to track sanitary sewage spills. While SWIM was intended to be the primary database for this agency, Geotracker has emerged as the preferred database for some programs. Unfortunately, no decision has yet been made on which database format should be used for the future. More information on Geotracker is provided on the State Board web site at <http://geotracker.swrcb.ca.gov>.

SWIM Violation Codes and Descriptions

Code	Violation	Description
ATOX	Acute Toxicity	Violation of an acute toxicity effluent requirement.
CAT1	Category 1 pollutant	Exceedance of Category 1 pollutants by 1.4 times the monthly average effluent limit for any two months in a six month period (40 CFR Sec 123.45)
CAT2	Category 2 pollutant	Exceedance of Category 2 pollutants by 1.2 times the monthly average effluent limit for any two months in a six month period (40 CFR Sec 123.45)
CSCH	Compliance schedule	Failure to comply with a compliance schedule in a permit. This does not include schedules in an enforcement order likes a Cease & Desist and Time Schedule Orders.
CTOX	Chronic Toxicity	Violation of a chronic toxicity effluent requirement.
NOTR	Failure to Notify	Failure to notify the Regional Board as required by permit condition.
OBPR	Failure to obtain permit	Failure to obtain the appropriate permits prior to discharge or regulated activity.
OEV	Other effluent violation	Any violations of an effluent requirement not covered under Category 1 or Category 2.
PAYF	Failure to pay fees	Failure to pay annual permit fees. This does not include failure to pay any penalties assessed by an ACL.
PENF	Previous Enforcement Order	Failure to comply with a previous enforcement order by not meeting its requirements, its time schedule, or failure to pay penalties.
PRMC	Violation of Non-effluent Permit Condition	Violation of any permit condition not pertaining to effluent requirements.
RLGW	Release to groundwater	Any release to groundwater that violates permit conditions or basin plan prohibitions.
RPT	Failure to submit reports or report is deficient	Failure to submit a report or a report that is either not complete or contains errors.
PRET	Pretreatment	Any permit violation related to a pretreatment program.
PROH	Basin Plan Prohibition	Basin Plan Prohibition – Violation of any basin plan prohibition.
SSO	Sanitary Sewer Overflow	Any spill from a sanitary sewer collection system or pump station.
UNRD	Unregulated Discharge	Any spill that is not a SSO as described above.

SWIM Enforcement Action Codes

Enforcement Action- Informal	SWIM Code
Verbal	VER
Staff enforcement letter	SEL
Notice of Violation	NOV

Enforcement Action- Formal	SWIM Code
Notices to Comply	NTC
Notices of stormwater non-compliance	NSW
Technical reports or investigations (13267)	LTR
Clean up and Abatement Orders	CAO
Time Schedule Orders (13300 or 13308)	TSO
Cease and Desist Orders	CDO
Mandatory Minimum Penalty	ACL
Administrative Civil Liability	ACL
Referrals to Attorney General, District Attorney, US Department of Justice	RDA, RAG, RUS, RTF, ROT